

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/731,896	KLOTZ, PETER	
	<b>Examiner</b>	<b>Art Unit</b>	
	George Nguyen	3723	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Applicant's amendment filed on December 23, 2005.
2. ☒ The allowed claim(s) is/are 1-17.
3. ☒ The drawings filed on 09 December 2003 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

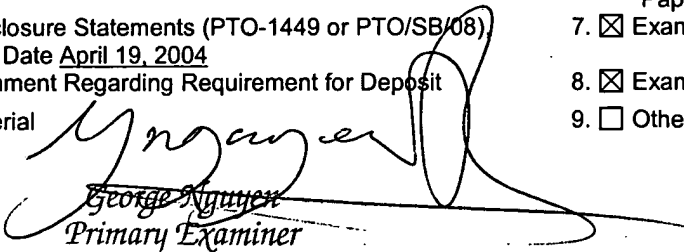
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |  |
|--|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date <u>April 19, 2004</u> | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                    |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material                                     | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|  | 9. <input type="checkbox"/> Other _____.   |

  
 George Nguyen  
 Primary Examiner

### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

The application has been amended as follows:

In the specification, page 1, changed the title "Polishing Device" to "Polishing Device With A Protective Element at Shank End". In line 1, deleted "Description" and substituted thereof "Background of The Invention".

On page 2, inserted "Brief Summary of The Invention".

On page 4, after 5<sup>th</sup> paragraph inserted "Brief Description of the Drawings.

On page 5, in line 8, changed ",", after Fig. 2 to ".". Thereafter, in new line, inserted "Detailed Description of The Invention".

2. The following is an examiner's statement of reasons for allowance: the specific limitations of "there is a protective element ... the shank end or stop" in the combination as claimed in claim 1, and "a protective element with ... and the shank" in the combination as claimed in claim 13 are not anticipated nor made obvious by the prior art of record in the examiner's opinion. For example, with reference to Figures 1-2, Mitschang et al.'548 discloses a polishing device having shank 15 and at least on one

Art Unit: 3723

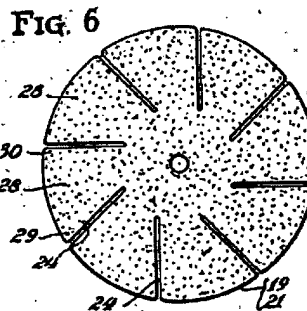
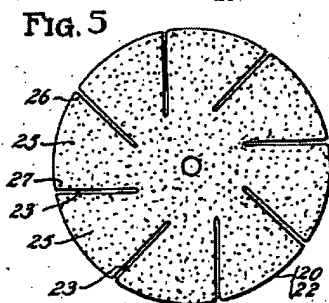
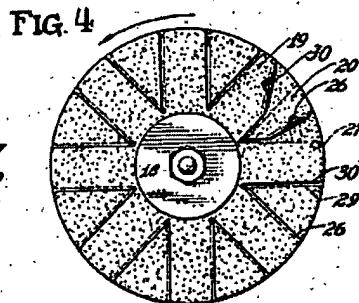
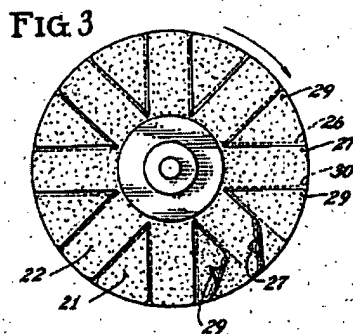
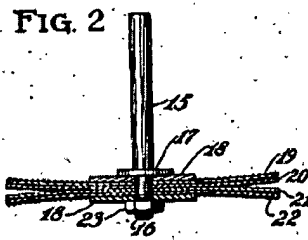
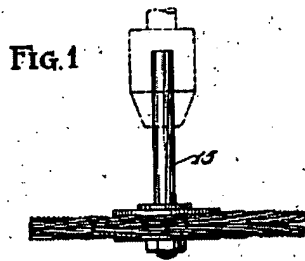
end of the shank 15 one polishing disk that can be fiction-fixed by two stops 17 and 23 on opposite another.

Feb. 7, 1939.

F. MITSCHANG ET AL  
FLEXIBLE ABRASIVE DISKS  
Filed Feb. 19, 1937

2,146,548

3 Sheets-Sheet 1



INVENTORS  
FRANK MITSCHANG, JOSEPH MITSCHANG,  
AND JULIAN C. SANDER.  
BY *H. Stahl*  
ATTORNEYS.

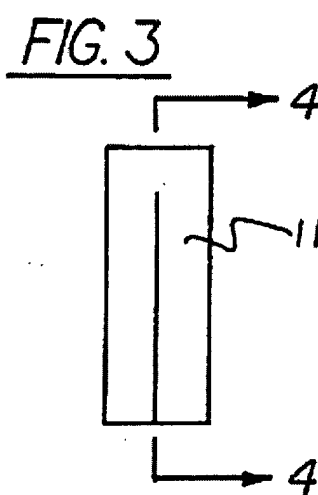
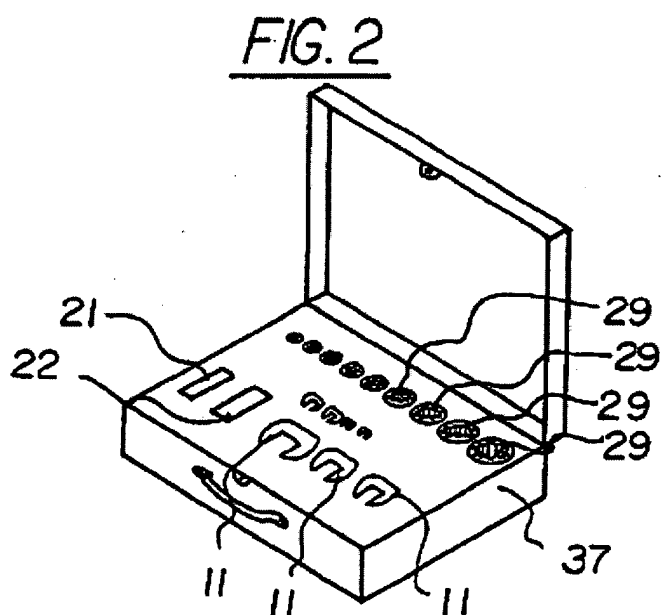
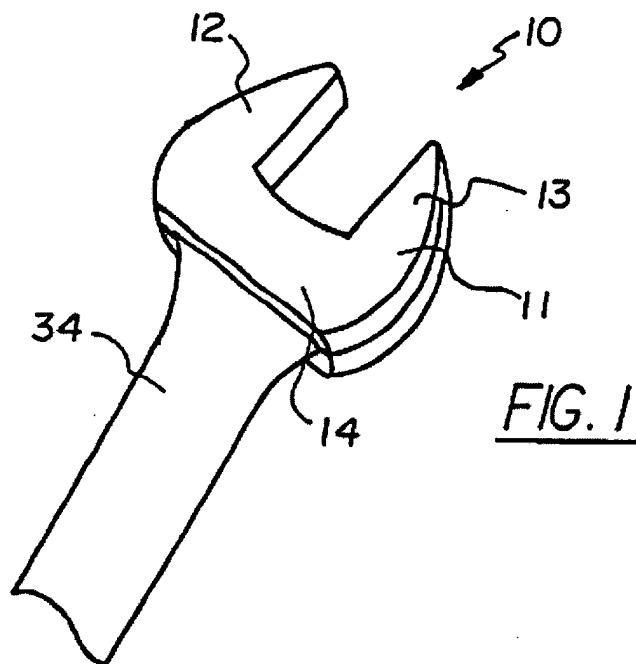
With reference to Figures 1-3, Woolf discloses protective tool cover for preventing damage to objects being worked upon with wrench or socket.

**U.S. Patent**

Jan. 22, 2002

Sheet 1 of 3

**US 6,339,980 B1**



However, the prior art of record fails to provide or suggest the specific limitations of "there is a protective element ... the shank end or stop" in the combination as claimed in claim 1, and "a protective element with ... and the shank" in the combination as claimed in claim 13.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to George Nguyen whose telephone number is 571-272-4491. The examiner can normally be reached on Monday-Friday/630AM-300PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Hail can be reached on 571-272-4485. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



George Nguyen  
Primary Examiner

George Nguyen  
Primary Examiner  
Art Unit 3723

GN – February 09, 2005